

On October 22, 1938, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 186 cartons of candy at Hattiesburg, Miss.; alleging that the article had been shipped in part on or about October 23, 1937, and in part on or about February 8, 1938, by W. F. Schrafft & Sons Corporation from Boston, Mass.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled variously in part: "Chocolate Covered Cream Almond Bar [or "Cream Pecan Bar," "Maple Cream Walnut," or "Fudge Square"]"; or "Schrafft's Almonds [or "Mint Operas," "Nougatines," "Peppermints," or "Opera Cream Drops"]."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On April 11, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30430. Adulteration and misbranding of canned lemon juice. U. S. v. 53 Cases of Lemon Juice. Default decree of condemnation and destruction. (F. & D. No. 45015. Sample No. 20634-D.)

This product had been delivered for shipment in interstate commerce, and at the time of examination it was found to contain enamel lining from the container.

On March 10, 1939, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 53 cases of canned lemon juice at Los Angeles, Calif.; alleging that the article had been delivered for shipment by the American Shippers Association on or about January 12, 1939; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Hulburt's Brand California Lemon Juice * * * Hulburt's Fruit Products, Inc., * * * Plant Arcadia, Calif."

It was alleged to be adulterated in that a substance containing enamel lining from the container had been substituted wholly or in part for lemon juice, which it purported to be.

It was alleged to be misbranded in that the statement "Pure Juice" was false and misleading and tended to deceive and mislead the purchaser when applied to citrus juice containing enamel lining from the container.

On April 10, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30431. Adulteration of frozen fillets. U. S. v. 160 Boxes of Perch Fillets. Default decree of condemnation and destruction. (F. & D. No. 45041. Sample No. 35000-D.)

This product contained parasitic worms.

On March 17, 1939, the United States attorney for the Southern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 160 boxes of perch fillets at Charleston, W. Va.; alleging that the article had been shipped in interstate commerce on or about March 4, 1939, by Great Atlantic & Pacific Tea Co. from Boston, Mass.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy animal substance.

On April 12, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30432. Adulteration of frozen strawberries. U. S. v. 17 Barrels of Strawberries. Default decree of condemnation and destruction. (F. & D. No. 45002. Sample No. 20389-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to contain excessive mold.

On March 9, 1939, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 17 barrels of straw-

berries at Los Angeles, Calif.; alleging that the article had been shipped on or about November 2, 1937, by Allen Fruit Co. from Seattle, Wash.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a decomposed vegetable substance.

On March 30, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30433. Adulteration of rolled oats. U. S. v. 33 Bags of Rolled Oats. Default decree of condemnation and destruction. (F. & D. No. 44874. Sample No. 50596-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be infested with beetles.

On February 20, 1939, the United States attorney for the District of Idaho, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 33 bags of rolled oats at Weiser, Idaho; alleging that the article had been shipped on or about September 15, 1937, by the Quaker Oats Co. from Salt Lake City, Utah; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Buckeye Rolled Oats."

It was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On March 31, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30434. Adulteration of frozen fillets. U. S. v. 172 Cartons of Red Perch Fillets. Default decree of condemnation and destruction. (F. & D. No. 45023. Sample No. 42999-D.)

This product contained parasitic worms.

On March 14, 1939, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 172 cartons of red perch fillets at Pittsburgh, Pa.; alleging that the article had been shipped in interstate commerce on or about February 4, 1939, by Frosted Foods Sales Corporation from Boston, Mass.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Birds Eye Frosted Foods * * * Packed For Frosted Foods Sales Corporation New York."

It was alleged to be adulterated in that it consisted wholly or in part of a filthy animal substance.

On April 8, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30435. Adulteration of almonds. U. S. v. 20 Bags of Almonds. Consent decree of condemnation. Product released under bond for segregation and destruction of unfit portions. (F. & D. No. 44682. Sample Nos. 36126-D, 59270-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be worm-infested.

On January 17, 1939, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 20 bags of almonds at Brooklyn, N. Y.; alleging that the article had been shipped on or about December 16, 1938, by the Herman C. Fisher Co. from San Francisco, Calif.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Fisher's Brand California Broken Almonds."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On January 27, 1939, Mitchel Beck, New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that the portion unfit for human consumption be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*